

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
WICHITA FALLS DIVISION**

**THE ESTATE OF WILBERT LEE
HENSON**

V.

WICHITA COUNTY, TEXAS, ET AL

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FILED
September 8, 2006

**CLERK, U.S. DISTRICT COURT
7-06-CV-44-R**

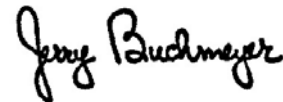
**ORDER ACCEPTING FINDINGS, CONCLUSIONS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE**

United States Magistrate Judge William F. Sanderson, Jr., made findings, conclusions and a recommendation in this case. No objections were filed. The District Court reviewed the proposed findings, conclusions and recommendation for plain error. Finding none, the Court accepts the Findings, Conclusions and Recommendation of the United States Magistrate Judge.

IT IS, THEREFORE, ORDERED that the Defendants' motion is granted in part and denied in part as follows:

1. That Plaintiffs will file Rule 7(a) replies in response to those Defendants who are sued in their individual capacities in accordance with the procedure set out in Schultea v. Wood, *supra*.
2. That those Defendants sued in their individual capacities are relieved from the obligation of responding to any discovery previously served or with which they are served in the future pending further order of the court.
3. That Defendants' motion insofar as it seeks a stay of discovery initiated by Plaintiffs and sought from Wichita County and Thomas J. Callahan in Callahan's official capacity is denied.

SO ORDERED this 8th day of September, 2006.



JERRY BUCHMEYER
UNITED STATES DISTRICT JUDGE